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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Confirmation No.: 4108

Sandro GRECH, *et al.*

Art Unit: 2617

Application No.: 10/766,882

Examiner: Charles Terrell Shedrick

Filed: January 30, 2004

Attorney Dkt. No.: 059643.00316

For: METHOD FOR OPTIMIZING HANDOVER BETWEEN COMMUNICATION NETWORKS

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

January 23, 2009

Sir:

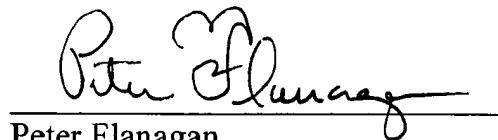
Applicants have received a Notice of Non-Compliant Amendment dated January 21, 2009. That Notice, a copy of which is attached, indicated that claim 22 has not been provided with the proper status identifier, and as such, the individual status of claim 22 cannot be identified. Applicants submit, therefore, a corrected copy of the Amendment filed December 18, 2008, indicating the proper status identifier for claim 22 is enclosed.

As noted in the Notice, this submission of a complete amendment is sufficient to cure the deficiency. It is therefore respectfully requested that the amendment submitted

on December 18, 2008, be entered, and that timely consideration on the merits be given to this application.

In the event that there are any fees due with respect to this paper, please charge Counsel's Deposit Account 50-2222.

Respectfully submitted,


Peter Flanagan
Attorney for Applicant
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PCF:dlh

Enclosures: Copy of Notice of Non-Compliant Amendment
Corrected Copy of the Amendment filed December 18, 2008

COPY



UNITED STATES PATENT AND TRADEMARK OFFICE



32294 e 01/21/2009

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Paper No.

Application No.:	10/766,882	Date Mailed:	01/21/2009
First Named Inventor:	Grech, Sandro,	Examiner:	SHEDRICK, CHARLES TERRELL
Attorney Docket No.:	059643.00316	Art Unit:	2617
Confirmation No.:	4108	Filing Date:	01/30/2004

Please find attached an Office communication concerning this application or proceeding.

Commissioner for Patents

COPY
**Notice of Non-Compliant Amendment
(37 CFR 1.121)**
Application No.
10/766,882Applicant(s)
GRECH ET AL.

JAN 23 2009

Art Unit
2800

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 18 December, 2008 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- 1. Amendments to the specification:
 - A. Amended paragraph(s) do not include markings.
 - B. New paragraph(s) should not be underlined.
 - C. Other _____.
- 2. Abstract:
 - A. Not presented on a separate sheet. 37 CFR 1.72.
 - B. Other _____.
- 3. Amendments to the drawings:
 - A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - C. Other _____.
- 4. Amendments to the claims:
 - A. A complete listing of all of the claims is not present.
 - B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - D. The claims of this amendment paper have not been presented in ascending numerical order.
 - E. Other: clm. 22 not proper status identifier..
- 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4): For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance, or a drawing submission (only). If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1 to 4 are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable /MARSHA R. RICHARDS/

Telephone No: (571)272-1612